

**MEMO ENDORSED**

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DATE FILED: 6/3/08

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**SCANNED**

SYNERGETICS USA, INC.,

Plaintiff

v.

ALCON LABORATORIES, INC. and ALCON,  
INC.,

Defendants.

)  
)  
) NOTICE OF MOTION TO ADMIT  
) EMILY J. KIRK AS COUNSEL PRO  
) HAC VICE  
)  
)

1:08-cv-03669-DLC

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2008 MAY 28  
FILED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PLEASE TAKE NOTICE, that upon the annexed affidavit of Emily J. Kirk,

sworn to May 16, 2008 and the certificate of good standing annexed thereto, the undersigned will move this court before the Honorable Denise L. Cote at the United States Courthouse for the Southern District of New York, Courtroom 11B at 500 Pearl Street, New York, New York for an Order pursuant to Local Civil Rule 1.3(c) granting Emily J. Kirk permission to appear as attorney of record for the plaintiff, *pro hac vice*. In support of the motion, the undersigned states that:

1. I am a member of Hanly Conroy Bierstein & Sheridan LLP, 112 Madison Avenue, New York, NY, co-counsel for plaintiffs, am admitted to practice and am a member in good standing of the Bar of this Court.

2. Emily J. Kirk is a lawyer with the firm SimmonsCooper, LLC, located at 707 Berkshire Boulevard, P.O. Box 521, East Alton, Illinois 62024.

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3. Ms. Kirk is a member in good standing of the Bar of the State of Illinois.

4. An affidavit from Ms. Kirk accompanies this application and is attached.

A certificate of good standing from the jurisdiction where she is admitted, issued within the last thirty days as required by Local Rule 1.3(c), is also attached.

5. I respectfully request that given the routine nature of this application, this Court permit this application without an accompanying memorandum of law.

WHEREFORE, I respectfully request that the application for admission of Emily J. Kirk, attorney for the plaintiff, *pro hac vice*, be granted.

Dated: New York, New York  
May 21, 2008

Respectfully Submitted,

By: 

Andrea Bierstein

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